

APPENDIX E
(Article 3-3)
Outside Irrigation/Outside Water usage By-Law

CHAPTER XXVI

Preamble: The Hamilton Board of Selectmen, in its capacity as Water Commissioners, proposes the following by-law in an effort to try and create balanced between the needs of the environment, our ground water supply, the citizens of Hamilton and Hamilton's public water distribution system. The board is aware of the concerns about lower ground water levels and the potential demand on its water resources during the dry summer months. They are also aware of the therapeutic, esthetic and environmental benefits, citizens to maintain their properties, not overburden Town water supplies or delivery systems and make a positive contribution to the environment. We ask that all our citizens that are not customers of the public water supply use this by-law as a guideline for their private wells and irrigation systems, for we all benefit from a healthy, bountiful water table.

IRRIGATION/OUTSIDE WATERING BY-LAW

This by-law is in effect from **May 15 to September 15** each year. This time period may be extended or decreased by vote of the Board of Selectmen, as they deem necessary, taking various conditions into consideration, including but not limited to weather, protection of the Town's water supply, compliance with Commonwealth regulations and demands on our pumping equipment.

This by-law is automatically superseded in the event of a declaration of a State of Water Supply Conservation, described in Chapter XXV, Section 4 of the Town By-laws.

It is unlawful to perform outside watering of vegetation between 8:00 am and 8:00 pm. Using town water through a sprinkler or lawn irrigation system.

All water hoses will be controlled by a nozzle, sprinkler or other device to regulate the flow of water leaving the hose. No use of an open-ended hose will be permitted with the exception of filling or topping off of swimming pools.

All outside spigots, especially those used for filling pools or using chemical spray hose attachments will be retrofitted with an **antisiphon device** to prevent back siphonage into the water supply or household.

All existing automatic underground irrigation systems will have **soil moisture sensors** wired into them to prevent unnecessary watering.

Exemptions from this by-law as well as the Water Use Restriction by-law will be recognized if watering is done through drip irrigation hoses or other devices that use subsurface applications and prevent the water from being evaporated through direct

contact with the atmosphere, through the use of water from cisterns and “rain barrel” that device their water directly from precipitation, recycled water, storm water run off, gray water or water not acquired directly from ground or surface water supplies or the public water system.

Penalties

First Offense: DPW will deliver a copy of the by-law to the property owner and/or leaseholder. DPW will keep record of the offense.

Second offense: DPW will deliver another copy of the by-law and visit the property owner and/or leaseholder to ensure that there is no misunderstanding, honest mistakes or communication problems with the property holders/leaseholders or grounds keepers.

Third and subsequent offenses: The Board of Selectmen will hold a hearing, with notice to the property owner and/or leaseholder, at which it will hear evidence of violations of the by-law. It may take such action as the Board deems appropriate, which may include water termination, water use surcharges or fines of up to \$50.00 per violation. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in a concordance with Section 21D of Chapter 40 of the General Laws. Each day of violation shall constitute a separate offense.

Footnote:

We strongly encourage all new and existing, automatic sprinkler systems to install an Evapotranspiration (ET) based monitoring system or similar. This offers a substantial savings in water usage and water bills.